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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,357	12/12/2005	Hiroshi Tomiyama	TAN-356	8894

7590 01/28/2009
H. Jay Spiegel and Associates PC
P.O. Box 11
Mount Vernon, VA 22121

EXAMINER

BLAND, LAYLA D

ART UNIT	PAPER NUMBER
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1623

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action

This office action is in response to Applicant's proposed amendment and response after FINAL filed on January 9, 2009.

Applicant's proposed new claims present a new issue for search and/or consideration because specific HMG-CoA reductase inhibitors are present in claim 29, which were not previously present. Proposed new claims 32 and 33 are drawn to products but include method steps, which raises the issue of indefiniteness. Furthermore, method steps have not been examined previously in this case. The rejection previously made with respect to claim 4 is maintained for reasons of record.

All rejections of record in the Final Office Action dated October 8, 2008 are maintained in view of the proposed amendment After Final not entered.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAYLA BLAND whose telephone number is (571)272-9572. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anna Jiang can be reached on (571) 272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Shaojia Anna Jiang/
Supervisory Patent Examiner, Art Unit 1623

/Layla Bland/
Examiner, Art Unit 1623